



General Assembly

February Session, 2004

Substitute Bill No. 5542

* _____HB05542GAE____031604_____*

**AN ACT CONCERNING AUTOPSY REPORTS OF PERSONS WHO
DIED AS A RESULT OF POLICE ACTIONS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 19a-411 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) The Office of the Chief Medical Examiner shall keep full and
4 complete records properly indexed, giving the name, if known, of
5 every person whose death is investigated, the place where the body
6 was found, the date, cause and manner of death and containing all
7 other relevant information concerning the death and a copy of the
8 death certificate. The full report and detailed findings of the autopsy
9 and toxicological and other scientific investigation, if any, shall be a
10 part of the record in each case. The office shall promptly notify the
11 state's attorney having jurisdiction of such death and deliver to the
12 state's attorney copies of all pertinent records relating to every death in
13 which further investigation may be advisable. Any state's attorney,
14 chief of police or other law enforcement official may, upon request,
15 secure copies of such records or other information deemed necessary
16 by such official for the performance of his or her official duties.

17 (b) The report of examinations conducted by the Chief Medical
18 Examiner, Deputy Chief Medical Examiner, an associate medical
19 examiner or an authorized assistant medical examiner, and of the

20 autopsy and other scientific findings may be made available to the
21 public only through the Office of the Chief Medical Examiner and in
22 accordance with this section, section 1-210, as amended, and the
23 regulations of the commission. Any person may obtain copies of such
24 records upon such conditions and payment of such fees as may be
25 prescribed by the commission, except that no person with a legitimate
26 interest in the records shall be denied access to such records, and no
27 person may be denied access to records concerning a person in the
28 custody of the state at the time of death. Any person may obtain copies
29 of such records concerning a person who died directly or indirectly as
30 the result of any police action or activity upon such conditions and
31 payment of such fees as may be prescribed by the commission,
32 provided such disclosure shall be made in accordance with the
33 provisions of subdivision (3) of subsection (b) of section 1-210, as
34 amended. As used in this section, a "person in the custody of the state"
35 is a person committed to the custody of (1) the Commissioner of
36 Correction for confinement in a correctional institution or facility or a
37 community residence, (2) the Commissioner of Children and Families,
38 or (3) the Commissioner of Mental Retardation, and "police action or
39 activity" means any act undertaken by any state, town or municipal
40 law enforcement officer in the furtherance or course of conducting
41 such officer's duties.

42 (c) Upon application by the Chief Medical Examiner or state's
43 attorney to the superior court for the judicial district in which the
44 death occurred, or to any judge of the superior court in such judicial
45 district when said court is not then sitting, said court or such judge
46 may limit such disclosure to the extent that there is a showing by the
47 Chief Medical Examiner or state's attorney of compelling public
48 interest against disclosure of any particular document or documents.
49 Public authorities, professional, medical, legal or scientific bodies or
50 universities or similar research bodies may, in the discretion of the
51 commission, have access to all records upon such conditions and
52 payment of such fees as may be prescribed by the commission. Where
53 such information is made available for scientific or research purposes,

- 54 such conditions shall include a requirement that the identity of the
55 deceased persons shall remain confidential and shall not be published.

This act shall take effect as follows:	
Section 1	<i>from passage</i>

Statement of Legislative Commissioners:

The new text in lines 28 to 32, inclusive, was rewritten for purposes of clarity.

GAE *Joint Favorable Subst.*